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Message Text

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42
ACTION IO-14

INFO OCT-01 EUR-25 ISO-00 OIC-04 PM-07 NSC-07 SP-03 SS-20

RSC-01 CAB-09 CIAE-00 COME-00 DODE-00 DOTE-00 EB-11

INR-11 NSAE-00 FAA-00 PA-04 PRS-01 USIA-15 L-03 DRC-01

AF-10 ARA-16 EA-11 NEA-14 OMB-01 TRSE-00 /189 W
---------- 109182
P 021937Z OCT 74
FM AMCONSUL MONTREAL
TO SECSTATE WASHDC PRIORITY 5404

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E. O. 11652: N/A
TAGS: EAIR, XX
SUBJ: FIFTH REPORT OF THE US DELEGATION TO THE ICAO ASSEMBLY,
OCTOBER 1, 1974

1. THE FRG, AS THE ORIGINATOR OF AGENDA ITEM 39, PRESENTED ITS VIEWS TO THE EXECUTIVE COMMITTEE ON THE NEED FOR THE ASSEMBLY TO RECOMMEND THAT CONTRACTING STATES COOPERATE IN MUTUAL ASSISTANCE IN THE INVESTIGATION OF MAJOR AIRCRAFT ACCIDENTS. DENMARK POINTED OUT THAT SINCE WP/38 WAS PREPARED THE AIRCRAFT ACCIDENT INVESTIGATION (AIG) DIVISION MEETING HAD RECOMMENDED IN PARA. 11:6 OF ITS REPORT THAT ICAO "FURTHER STUDY, AS A MATTER OF URGENCY: (A) COSTS AND FINANCIAL IMPLICATIONS OF MAJOR ACCIDENT INVESTIGATIONS, INCLUDING SALVAGE; AND (B) POSSIBLE MEANS FOR DISTRIBUTION OF THESE COSTS." AFTER MANY STATES HAD COMMENTED ON THEIR NEED FOR TECHNICAL ASSISTANCE OR FINANCIAL RESOURCES FOR INVESTIGATIONS, THE CHAIRMAN SAID THE SECRETARIAT WOULD PREPARE A RESUME AND DRAFT RESOLUTION BASED ON THE ONE IN WP/38, AN AUSTRALIAN SUGGESTION FOR DEVELOPING AND STANDARDIZING INVESTIGATION EXPERTISE THROUGH OPPORTUNITY TO PARTICIPATE IN INVESTIGATIONS AND PARA. 11:6 OF THE AIG REPORT. (THE US HAD INDICATED THAT IT WOULD SUPPORT SUCH A RESOLUTION.)

2. RETURNING TO AGENDA ITEM 18 COMMITTEE APPROVED BY CONSENSUS
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THE ORIGINAL COUNCIL VERSION OF THE CONSOLIDATED RESOLUTION

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URGING ALL STATES TO BECOME PARTIES TO THE TOKYO, HAGUE AND MONTREAL CONVENTIONS. FRANCE EXPRESSED REGRET AT THIS EVEN-HANDED TREATMENT OF ALL THREE CONVENTIONS.

3. PART III OF THE COUNCIL ELECTION WAS HELD BY THE PLENARY IN THE AFTERNOON. ON THE FIRST BALLOT KENYA WAS ELECTED WITH 101 OF POSSIBLE 116 VOTES; ALSO MOROCCO (100), NIGERIA (100), TRINIDAD AND TOBAGO (93), COLOMBIA (89), SENEGAL (86), MALAGASY REPUBLIC (85), AND COSTA RICA (83). INDONESIA FAILED TO BE ELECTED WITH 57 VOTES; ALSO BELGIUM (48), YUGOSLAVIA (38), POLAND (33) AND ZAIRE (24). ON THE SECOND BALLOT INDONESIA WAS ELECTED WITH 88 VOTES AND YUGOSLAVIA RECEIVED ONLY 53 OF REQUISITE 59 VOTES, BELGIUM 46, POLAND 22 AND ZIRE 9. ON THIRD BALLOT WITH 115 STATES VOTING, NO STATE RECEIVED REQUISITE MAJORITY OF 58 VOTES. (YUGOSLAVIA RECEIVED 54, BELGIUM 51, POLAND 7 AND ZAIRE 2.) FOURTH BALLOT UNDER RULE 61 WAS BETWEEN BELGIUM AND YUGOSLAVIA ONLY, WITH BELGIUM LOSING ITS SEAT ON THE COUNCIL TO YUGOSLAVIA BY A VOTE OF 58 TO 57.

4. BUDGET WORKING GROUP OF THE ADMINISTRATIVE COMMISSION BEGAN CONSIDERATION OF THE BUDGET ESTIMATES FOR THE FINANCIAL YEARS 1975-1976-1977 (DOC 9094). CONSIDERATION FOCUSED ON PART VI-CONTINGENCIES. COMMISSION SECRETARY (COLLINS) DEFENDED THE ESTABLISHMENT OF A SEPARATE CONTINGENCIES SECTION ON GROUND IT WOULD GET THE CONTINGENCY APPROPRIATION OUT INTO THE OPEN AND PLACE IT UNDER THE CONTROL OF THE COUNCIL RATHER THAN THE SYG. IN ORCHESTRATED MOVE, US, UK AND FRANCE UNDERSCORED THE NEED FOR PRUDENCE AND SUGGESTED THAT SHOULD UNANTICIPATED EXPENSES EXCEED AMOUNT APPROPRIATED FOR CONTINGENCIES, IN LIEU OF SUPPLE-MENTAL ASSESSMENT, COUNCIL SHOULD BE GIVEN AUTHORITY TO RECOVER FUNDS FROM LOWER PRIORITY ACTIVITIES. USSR STATED THAT NO FUNDS SHOULD BE APPROPRIATED FOR SALARY INCREASES RECOMMENDED BY ICSAB AND THAT QUESTIONNAIRES SHOULD BE SENT TO CONTRACTING STATES OR AN EXTRAORDINARY ASSEMBLY SESSION SHOULD BE HELD IF ADDITIONAL FUNDS FOR SALARY INCREASES ARE REQUIRED. LDC REPRESENTATIVES DID NOT TAKE PART IN THE DISCUSSION.

5. TECHNICAL COMMISSION ELECTED I ZARTOV, OF BULGARIA AND V. SAVANE OF IVORY COAST AS FIRST AND SECOND VICE CHAIRMEN RESPECTIVELY. COMMISSION COMPLETED WORK ON ITEM 7 (WORK PROGRAM
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OF THE ORGANIZATION FOR 1975-77) AND APPROVED THE EXACT WORDING OF THE NEW RESOLVING CLAUSE TO BE ADDED TO APPENDIX C OF WP/3 (PANELS OF THE ANC). TEXT RESULTED FROM US PROPOSAL AND IS AS FOLLOWS ...(3) THE PROGRESS OF THE PANELS OF THE AIR NAVIGATION COMMISSION SHALL BE REVIEWED PERIODICALLY AND THE PANELS SHALL BE TERMINATED AS SOON AS THE TASK ASSIGNED TO THEM HAS BEEN ACCOMPLISHED. A PANEL SHALL BE ALLOWED TO CONTINUE IN EXISTENCE FOR MORE THAN 4 YEARS ONLY IF ITS CONTINUATION IS CONSIDERED

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JUSTIFIED BY THE AIR NAVIGATION COMMISSION." THE COMMISSION WILL RESUME CONSIDERATION OF AGENDA ITEM 22 AND THEREAFTER BEGIN DISCUSSION ON AGENDA ITEM 23 (ASSEMBLY RESOLUTIONS TO BE CONSOLIDATED OR TO BE DECLARED NO LONGER IN FORCE).

6. LEGAL COMMISSION COMPLETED MAJOR WORK ASSIGNED. COMMISSION VOTED TO RETAIN WORK PROGRAM IN LEGAL FIELD UNCHANGED IN PART A. VOTE WAS 24 FOR NO CHANGE, 8 (US) FOR CHANGE AND 15 ABSTENTIONS. RESULT OF VOTE PREVENTED US PROPOSAL TO CONSOLIDATE, AS ITEM 3, ITEMS 3, 4, AND 5 (LIABILITY OF AIR TRAFFIC CONTROL AGENCIES, AERIAL COLLISONS, AND STUDY OF CONSOLIDATION OF ABOVE WITH ROME CONVENTION) AND MOVE UP AS ITEM 4 STUDY OF RULES RELATING TO AURCRAFT COMMANDER, AND AIRCRAFT (ITEMS 7 AND 9). ITEM 1 IN PART B (SPECIAL CLAUSE IN BILATERAL AGREEMENTS ON SECURITY FOR INTERNATIONAL CIVIL AVIATION) WAS DELETED AT REQUEST OF KENYA, SUPPORTED BY FRANCE, THROUGH WITHDRAWAL OF ITS PROPOSER, CANADA AND SECONDER, COLOMBIA. FRENCH PROPOSAL TO AMEND RULE 54 LATER CHANGED TO RULE 46, WAS DISTRIBUTED CO-SPONSORED BY SUDAN, QUATAR AND JAMAICA. DISCUSSION PRODUCED NUMEROUS AMENDMENTS. AFTER INCONCLUSIVE DEBATE US PROPOSED ITS AMENDMENT AND SUGGESTED NEITHER COUNCIL PROPOSAL NOR FRENCH PROPOSAL APPEARED RIPE FOR SUBMISSION TO EXECUTIVE COMMITTEE. PROPOSAL CARRIED BY VOTE OF 24 (US) TO 18.
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